

PTO/SB/26 (09-04)

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
P214009

In re Application of: David W. Brown et al.

Application No.: 10/020,838

Filed: December 10, 2001

For: Systems and Methods for Generating and Communicating Motion Data Through a Distributed Network

The owner*, ROY-G-BIV CORPORATION, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,480,896 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 33,550

Signature

February 2, 2006

Date

Michael R. Schacht

Typed or printed name

360-647-0400

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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MAILING DATE: March 25, 2004

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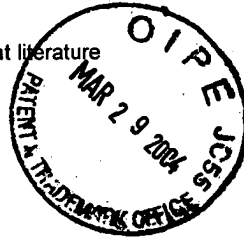
SUPPLEMENTAL INFORMATIONAL DISCLOSURE STATEMENT

PATENT

Applicant:	David W. Brown et al.
Serial Number:	10/020,838
Filing Date:	12/10/2001
Title:	SYSTEM AND METHOD FOR GENERATING AND COMMUNICATING MOTION DATA THROUGH A DISTRIBUTED NETWORK
Attorney Docket:	P214009
Attorney:	MRS:rf

Enclosed:

1. Informational Disclosure Statement, signed by attorney of record;
2. Forms PTO-SB/08A & PTO-SB/08B with copies of cited non-patent literature references; and
3. Certificate of Mailing.



MAILING DATE: September 2, 2004

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PATENT AND TRADEMARK OFFICE, IN RE:

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